

Bureau of Land Management
P.O. Box M
Moab, Utah 84532

(For BLM Use) Serial No. U68-P87-05

Hand delivered 6-10-87

NOTICE
OR
PLAN OF OPERATIONS
(For Operations Proposed Under the 43 CFR 3809 Regulations)

Instructions: Circle "Notice" (above) if proposed mining activity within the project area will disturb a total of five (5) acres or less during the calendar year. Circle "Plan of Operations" if disturbance will exceed five acres during the calendar year or if operations are within one of the specially designated areas described in 43 CFR 3809.1-4 (b). Complete the form in as much detail as possible. Additional sheets may be used if necessary. Use maps or sketches where appropriate. A review of the 43 CFR 3809 regulations should be conducted prior to completion of this form.

Operator Information:

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
Delbert Burr	4702 Hillside Dr. Provo, Utah 84604	325-6586 801-226-1710 home 768-3332 work phone: 801- 824-8888

Claimant Information (If different than operator):

<u>Name</u>	<u>Address</u>	<u>Telephone</u>
Same		1029 Windsor Dr Provo, UT 84604

Claim Information (Claim names, circle claim types (Lode, placer, Mill Site, Tunnel), BLM Serial No.):

Hobo UMC 229797

Location of Proposed Activity (i.e. Township, Range, Section):

T. 23 S., R. 25 E., sec. 17, SE.

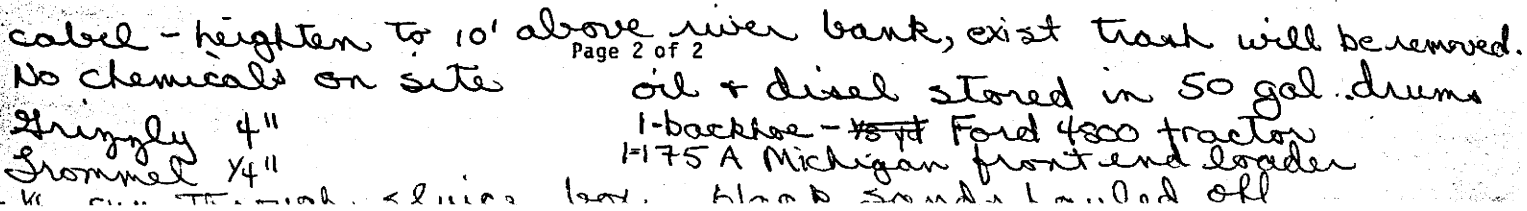
Describe Existing Disturbance and Structures or Indicate on Maps or Sketches (Mine and Mill Facilities, Workings, Tailings, Dump Areas, etc. It may be to your advantage to document existing disturbance with photographs):

1 1/2 acre approx has been disturbed ~~South~~^{North} end of disturbed area has piles of screened sand the pits are located on south end, they are excavations approx 50' wide 150' long various test holes exist in area

Proposed Operations: Describe the entire proposed operation, including all surface disturbing activities (road construction, drilling, trenching, backhoe, and bulldozer exploration, mining, waste disposal, etc.) List all mechanized earth moving equipment to be used during the operation and state if explosives are to be utilized. Describe and furnish a map or sketch, when applicable, showing the locations and size of areas where surface disturbances are proposed, including existing and/or proposed routes of access. Calculate the total acreage proposed for disturbance (1 acre = 43,560 sq. ft.).

We propose to mine an area less than 5 acres. We will excavate out of the gravel pit opened up by previous owner. The gravels are to be washed and screened and sluiced. All water will be recycled and none let return to river. Settling pond used is approx 60' x 20'

0001



APPENDIX I

File Code _____

STIPULATIONS

EA Log No. UT-068-87-71

Lease or
Serial No. U68-P87-05

Project Plan of Operations for Hobo #1 mining claim
Applicant Delbert Burr Project Location T.23S., R.25E., Sec. 17, SE1/4, SLB&M
Address 4702 Hillside Dr., Provo, UT 84604 County Grand, Utah
BLM Office Grand Resource Area Phone No. (801) 259-8193

The following stipulations have been developed to mitigate adverse environmental impacts which may result from the action permitted by the accompanying decision. The action permitted and its anticipated impacts are fully described in the environmental assessment or categorical exclusion referenced above.

1. If stockpiled topsoil for covering excavated areas is left for more than one year, the stockpile will be contoured and seeded to avoid wind and water erosion loss.
2. A buffer zone of at least 20 feet, within the area to be excavated, will be maintained at all times from the Dolores River bank to maintain its integrity.
3. Reclamation will consist of placing overburden back into excavated areas, covering this with the stockpiled topsoil, scarifying, reseeding with the seed mixture listed below and then covering the seeds with soil by dragging a chain link fence behind a pickup truck or using a harrow.

Seed Mix List

<u>Grasses</u>		<u>lbs/acre</u>
Sporobolus iroides	Alkali sacaton	1
Oryzopsis hymenoides	Indian ricegrass	2
Agropyron ripium	Streambank wheatgrass	1
<u>Shrubs</u>		
Atriplex canescens	Fourwing saltbush	<u>2</u> 6 lbs/acre

Broadcast seed will be applied at double the above rate.

In addition, garbage on the claim i.e. oil cans, old unoperable mining equipment, etc. will be picked up and hauled to an approved disposal area.

4. The cable which the boat is attached to, to cross the Dolores River, will be flagged with large diameter orange ball markers or heighten to 10 feet above the river. This will prevent boaters from being hurt by the cable.
5. A copy of your water permit will be submitted to the BLM Grand Resource Area office as soon as Mr. Burr receives it.

6. When American antiquities or other objects of historic or scientific interest including, but not limited to historic or prehistoric ruins, fossils, or artifacts are discovered in the performance of the Plan of Operations, the item(s) or condition(s) will be left intact and immediately brought to the attention of the authorized officer.
7. Equipment oil will not be drained onto the ground, but will be collected in pans and transported in closed containers to a sanitary landfill, oil recycling center, or other approved dumping point.
8. All trash garbage, waste material and scrap will be disposed of in an approved disposal area.
9. On termination of the mining operations, the BLM must be notified and final reclamation procedures commenced within 30 days.

File Code _____

ENVIRONMENTAL ASSESSMENT COVER SHEET

EA Log No. UT-068-87-71

Lease or
Serial No. U68-P87-05

Project Plan of Operations for Hobo #1 mining claim

Applicant Delbert Burr Project
Location T.23S., R.25E., Sec. 17, SE1/4, SLB&M

Address 4702 Hillside Dr., Provo, UT 84604 County Grand, Utah

BLM Office Grand Resource Area Phone No. (801) 259-8193

LIST OF PREPARERS

<u>Name</u>	<u>Title</u>	<u>Resources Assigned</u>
<u>Teresa McParland</u>	<u>Geologist</u>	<u>Geology</u>
<u>Joe Cresto</u>	<u>Wildlife Biologist</u>	<u>Wildlife</u>
<u>Julie Howard</u>	<u>Archaeologist</u>	<u>Archaeology</u>
<u>Dave Minor</u>	<u>Outdoor Rec. Planner</u>	<u>VRM, Recreation, Wild & Scenic River Designation</u>
<u>Gregg Dawson</u>	<u>Range Conservationist</u>	<u>Range and Hydrology</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Teresa E. McParland
Team Leader Signature

Geologist
Title

7-9-87
Date

File Code _____

RECORD OF DECISION AND
FINDING OF NO SIGNIFICANT IMPACT

EA Log No. UT-068-87-71

Lease or
Serial No. U68-P87-05

Project Plan of Operations for Hobo #1 mining claim
Applicant Delbert Burr Project Location T.23S., R.25E., Sec. 17, SE1/4, SLB&M
Address 4702 Hillside Dr., Provo, UT 84604 County Grand, Utah
BLM Office Grand Resource Area Phone No. (801) 259-8193

RECORD OF DECISION

Decision: The following is the decision of the Bureau.

The decision is to allow Delbert Burr to mine placer gravels on the north side of the Dolores River, as per his submitted plan of operations.

Rationale:

The proposed activity as stipulated complies with 43 CFR 3809 regulations.

Environmental Considerations: I have considered the environmental consequences of this decision as documented in the accompanying environmental assessment or categorical exclusion, referenced above. Except as noted in the Rationale, all environmental considerations have been adequately addressed in the accompanying document.

STIPULATIONS

This decision incorporates by reference the attached stipulations. The stipulations have been developed to mitigate adverse environmental impacts which may result from the action permitted by this decision.

FINDING OF NO SIGNIFICANT IMPACT
(Does not apply to categorical exclusions.)

Based on the analysis of potential environmental impacts contained in the accompanying environmental assessment, referenced above, I have determined that impacts are not expected to be significant. Therefore an environmental impact statement is not required.


Area Manager

7/9/87
Date

UT-060-1790-2
July 1986

APPENDIX 2

File Code _____

CHECKLIST FOR ENVIRONMENTAL ASSESSMENTEA Log No. UT-068-87-71

Lease or

Serial No. U68-P87-05Project Plan of Operations for Hobo mining claimApplicant Delbert Burr

Project

Address 4702 Hillside Dr., Provo, UT 84604Location T.23S., R.25E., Sec. 17, SE1/4, SLB&MBLM Office Grand Resource AreaCounty Grand, UtahPhone No. (801) 259-8193

The following mandatory items have been considered for this environmental assessment. Items that may be impacted have been discussed within the environmental assessment; the remainder will not be affected and are not discussed.

Proposed Action: The applicant, Delbert Burr, proposes to use a front end loader to remove gravel from his mining claim Hobo. The gravel will be washed and screened on site. A sediment pond will be needed to run the gravel through a series of screens. Initially, the water to fill this pond will be taken from the Dolores River. The blacksands will be hauled off site to extract the gold. All processed gravels will be returned to the excavated area, covered with stockpiled topsoil and reseeded.

	<u>May Be Impacted</u>	<u>Will Not Be Affected</u>		<u>Specialist Signature/Date</u>
1. a.	[]	[<input checked="" type="checkbox"/>]	Threatened or Endangered Plants	<u>Delbert Burr 7-1-87</u>
b.	[]	[<input checked="" type="checkbox"/>]	Threatened or Endangered Animals	<u>Joe (Nesb) 7-1-87</u>
2.	[<input checked="" type="checkbox"/>]	[]	Floodplains and Wetlands	<u>Delbert Burr 7-1-87</u>
3.	[]	[<input checked="" type="checkbox"/>]	Wilderness Values	<u>David C. Minor 7/2/87</u>
4.	[]	[<input checked="" type="checkbox"/>]	Areas of Critical Environmental Concern	<u>David C. Minor 7/2/87</u>
5.	[]	[<input checked="" type="checkbox"/>]	Visual Resource Management	<u>David C. Minor 7/2/87</u>
6.	[]	[<input checked="" type="checkbox"/>]	Water Resources	<u>Delbert Burr 7-1-87</u>
7.	[]	[<input checked="" type="checkbox"/>]	Air Quality	<u>Delbert Burr 7-1-87</u>
8.	[]	[<input checked="" type="checkbox"/>]	Cultural or Historic Resources	<u>Julie Howard 7-1-87</u>
9.	[]	[<input checked="" type="checkbox"/>]	Paleontological Resources	<u>Julie Howard 7-1-87</u>
10.	[]	[<input checked="" type="checkbox"/>]	Prime or Unique Farmlands	<u>Delbert Burr 7-1-87</u>
11.	[<input checked="" type="checkbox"/>]	[]	Wild and Scenic Rivers	<u>David C. Minor 7/2/87</u>

The above project has been analyzed for conformance with BLM plans and consistency with local government plans. Significant discrepancies are discussed in the body of the environmental assessment.

BLM Plan and Date: Grand Area Resource Management Plan, 1985Local Government Plans and Dates: Grand County Master Plan for Development, 1979

INTRODUCTION

Mr. Delbert Burr submitted a plan of operations to the Bureau of Land Management (BLM) for the purpose of mining and processing placer gold. The plan of operations is within the SE1/4 of Sec. 17, T.23S., R.25E. (Appendix 1). This land is within a Wild & Scenic River Study Area, which is administered by the BLM.

The proposed action is subject to regulations of 43 CFR 3809, Section 9 of the Wild & Scenic Rivers Act of 1965 and Section 7 of the Endangered Species Act. BLM land use plan which directs decision making for the affected area is the Grand Area Resource Management Plan.

PROPOSED ACTION

Mr. Burr proposed to mine alluvial gravel on the north side of the Dolores River from his mining claim. All surface disturbing activity will occur on Hobo #1 and be confined to five acres along the west edge adjacent to the Dolores River (Appendix 1).

Topsoil will be removed to a depth of 6-12 inches and stockpiled on the north side of the area proposed to be worked. A front end loader will be employed to pick up the gravel and feed it directly to a grizzly. The grizzly will size the material to four inches. This material (4 inches and less) will then be run through a trommel. The trommel will size the material to 1/4 inch. From the trommel the material will be fed to a sluice box. The sluice box will concentrate the material to black sands. The black sands will be hauled off site to be further refined. The end product is gold. No chemicals will be used on the mining claim to extract the gold.

From the Dolores River bank a buffer zone of 20 feet will be established and maintained throughout the life of the operation. A sediment pond will be employed to hold the water necessary to run the trommel and sluice box. The pond will be 40 feet wide by 80 feet long by 6 feet deep.

Excavated areas will be reclaimed as the operation moves from the area disturbed by the previous owners to the east. Larger rejected material will be returned first, then covered with the finer rejected material and recontoured. The stockpiled topsoil will then be placed on all disturbed areas, scarified and reseeded with the following seed mixture:

<u>Grasses</u>		<u>lbs/acre</u>
Sporobolus airoides	Alkali sacaton	1
Oryzopsis hymenoides	Indian ricegrass	2
Agropyron ripium	Streambank wheatgrass	1
<u>Shurbs</u>		
Atriplex canescens	Fourwing saltbrush	<u>2</u>
		6 lbs/acre

If the seed is applied by broadcasting the above rate will be doubled. The seeds will be covered with soil by dragging a chain link fence behind a pickup truck or using a harrow.

The operation will be run 8 hours a day year round, weather permitting. Approximately 1/2 ton of material will be processed per day. Two people will be employed by this operation. Diesel fuel will be stored in 50 gallon drums on site to run the equipment.

A cable which Mr. Burr hooks his boat onto has been stretched across the Dolores River. The cable greatly reduces the amount of time it takes for Mr. Burr to reach his claim. Mr. Burr has agreed to raise the cable to 10 feet above the river or mark the cable with large reflective orange balls (like those used on power lines to make them more visible).

The former mining claim owners left old mining equipment, oil cans, scrap metal, hoses, etc. on the claim. Mr. Burr has agreed to clean up the claim once he begins working on this mining operation.

NO ACTION ALTERNATIVE

The no action alternative would be if BLM denied the proposed mining operation because it was determined to cause undue and unnecessary degradation of federal lands.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

Regional Setting

The proposed placer operation is located on the north side of the Dolores River in Grand County, Utah. Hobo #1 mining claim has been worked in the past.

Geology and Topography

Placer gravels occur along the banks of the Dolores River. The elevation of the subject area ranges from 4200-4400 feet. The surrounding outcroppinng rocks are Summerville Formation and Entrada Sandstone, the Salt Wash Sandstone Member of the Morrison Formation and the Burro Canyon Formation. The gold occurs in the Quaternary gravels and is very fine.

Effects of the Proposed Action

There would be an irreversible loss of fine gold of unknown quantity. In addition, less than 5 acres of new surface disturbance would occur on Hobo #1.

Effects of No Action

There would be no new surface disturbance on Hobo #1 and no gold would be removed from the placer gravels.

Water Resources

The Dolores River is the south side of Hobo #1. The proposed operation would require less than one acre foot of water to fill the sediment pond. This water will be used for the trommel and sluice box. The water will be in a closed system and recirculated.

A water application will be submitted to the State Division of Water Rights.

The proposed activity occurs within the floodplain of the Dolores River. Executive Order 11988 dated May 24, 1977 as amended by EO 12148 directs each Federal agency to take action to avoid the long and short term adverse impacts associated with the occupancy and modifications of floodplains. In addition, agencies are also required to avoid direct or indirect support of floodplain development whenever there is a practicable alternative.

Effect of the Proposed Action

The sediment pond will eventually seal itself with the suspended sediments in the water. The quality of any water which may seep back into the Dolores will be the same as when it was removed from the river. A water rights application must be perfected prior to commencement of the proposed operation. The proposed operation cannot be moved out of floodplain. Standard reclamation procedures described in the proposed action will prevent long-term adverse impacts to the floodplain.

Effect of the No Action Alternative

There would be no impact to the water quality nor the floodplain.

CULTURAL ENVIRONMENT

Mining Claims

The proposed mining operation encompasses Hobo #1 lode mining claim. Mr. Burr purchased Hobo #1 from Mr. and Mrs. Jones and as of yet has not transferred the claim into his name.

Effect of the Proposed Action

Mr. Burr will extract gold from his mining claim. This work will satisfy state and Federal annual assessment work requirements. In addition, the proposed activity could be applied towards pursuing a patent for Hobo #1.

Effects of the No Action

Mr. Burr would not increase the existing disturbance on Hobo #1 and would eventually lose his claim for not completing annual assessment work requirements.

Wild and Scenic River Designation

The 1979 Wild and Scenic River Study of the Colorado and Dolores Rivers recommended designating the section of the Dolores River encompassed by Hobo #1 mining claim as "scenic" based on public comments. Initial agency recommendations were for a designation of "recreational" due to the concentration of mining activity in the vicinity and the lack of canyon scenery in the immediate area.

The three classifications found in the Wild and Scenic Rivers Act are as follows:

1. Wild river areas - those rivers or sections of rivers that are free of impoundments and general inaccessible except by trail, with watersheds or shorelines essentially primitive and water unpolluted. These represent vestiges of primitive America.
2. Scenic river areas - those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.
3. Recreational river areas - those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

Effect of the Proposed Action

The proposed mining operation would be consistent with the recent mining activity and compatible with a "scenic" classification if designation occurs.

Effect of the No Action

There would be no new impacts to this segment of the Dolores River recommended for designation as "scenic."

CONSULTATION

Mr. Delbert Burr, mining claimant and operator: clarification of the proposed plan of operations.

COATES CREEK QUADRANGLE
UTAH-COLORADO
15 MINUTE SERIES

Topographic map of the Coates Creek Quadrangle, Utah-Colorado, 15 Minute Series. The map shows the Colorado River, Buckhorn Mesa, Blue Pinto Mesa, and Blue Chief Mesa. It includes contour lines, spot elevations, and place names like Prospect, Ryan, and Draw. The map is overlaid with a grid showing coordinates and section numbers.

— *... i.e. social structures by multiple methods*

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

RIGHT-OF-WAY GRANT/TEMPORARY USE PERMIT

Issuing Office

Moab District - Grand R.A.

Serial Number

UTU-65878

1. A (right-of-way) (permit) is hereby granted pursuant to:

- a. ☒ Title V of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2776; 43 U.S.C. 1761);
- b. ☐ Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185);
- c. ☐ Other (describe) _____

2. Nature of Interest:

- a. By this instrument, the holder Grand County receives a right to ~~construct, operate, maintain, and terminate~~ and upgrade the extension to Grand County Rd. # 17-B on public lands (or Federal land for MLA Rights-of-Way) described as follows: (Granite Road, Dolores Triangle)

Salt Lake Meridian, Utah

T. 23 S., R. 25 E.,
Section 9, SESESE;
Section 10, W2SWSW;
Section 16, W2E2SW, S2SWSW;
Section 17, Lots 2, 9.

- b. The right-of-way or permit area granted herein is 100 feet wide, 8120 feet long and contains 18.64 acres, more or less. If a site type facility, the facility contains _____ acres.
- c. This instrument shall terminate on April 12, 2020, 30 years from its effective date unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of this instrument or of any applicable Federal law or regulation.
- d. This instrument ☒ may ☐ may not be renewed. If renewed, the right-of-way or permit shall be subject to the regulations existing at the time of renewal and any other terms and conditions that the authorized officer deems necessary to protect the public interest.
- e. Notwithstanding the expiration of this instrument or any renewal thereof, early relinquishment, abandonment, or termination, the provisions of this instrument, to the extent applicable, shall continue in effect and shall be binding on the holder, its successors, or assigns, until they have fully satisfied the obligations and/or liabilities accruing herein before or on account of the expiration, or prior termination, of the grant.

3. Rental: Exempt under 43 CFR 2803.1-2 (b)(1)

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

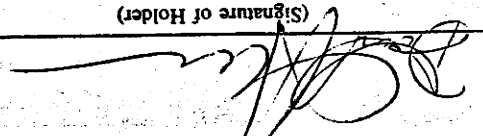
- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations parts 2800 and 2880.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 180 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.

- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A and B ~~XXX~~ attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.

- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant or permit.

(Signature of Holder)



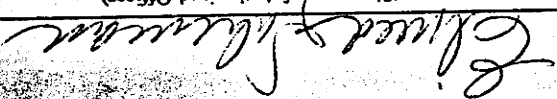
(Title)

Road Supervisor

(Date)

4-13-90

(Signature of Authorized Officer)



(Title)

Area High. Chief

(Effective Date of Grant)

04/13/90

EXHIBIT B

1. This grant is subject to all valid rights existing on the effective date of this grant, including power site withdrawal # 296 (in section 16), and the Klondyke #'s 2-7 placer claims.
2. The United States, its permittees, lessees, and licensees shall not be responsible or held liable or incur any liability for the damage, destruction, or loss of any land, crops, facility installed or erected, income, or other property investments resulting from the use of such lands, or portions thereof, for hydroelectric development at any time where such hydroelectric development is made by or under the authority of the United States. Furthermore, in the event the reserved lands are required by hydroelectric development, any structures or improvements placed thereon found to interfere with such development shall be removed or relocated as necessary to eliminate such interference at no cost to the United States, its permittees or licensees.
3. There is hereby reserved to the authorized officer the right to grant additional rights-of-way or permits for compatible uses, on, over, under, or adjacent to the lands involved in this grant.
4. The holder of this right-of-way grant or the holder's successor in interest shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200d et seq.) and the regulations of the Secretary of the Interior issued pursuant thereto.
5. The Holder shall indemnify the United States against any liability for damage to life and property arising from the occupancy or use of public lands under this grant.
6. All survey monuments, witness corners, reference monuments and bearing trees must be protected against destruction. Any damaged or obliterated markers must be re-established in accordance with accepted survey practices at the expense of the holder.
7. The holder shall conduct all activities associated with the construction, operation and termination of the right-of-way within the authorized limits of the right-of-way.
8. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation of the discovery and proper mitigation measures. Any decision as to proper mitigation shall be made by the authorized officer after consulting with the holder.

9. Construction sites shall be maintained in a sanitary condition at all times. Waste materials at those sites shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

10. The right-of-way shall be relinquished to the United States when the authorized use is no longer needed. The authorized officer may terminate this grant for failure to comply with this condition, as provided for in 43 CFR 2803.4-1(b).

